



CITY OF
TUCSON

DEPARTMENT OF
URBAN
PLANNING &
DESIGN

December 13, 2007

To: Subscriber to the Tucson *Land Use Code (LUC)*

SUBJECT: SUPPLEMENT NO. 42 TO THE LAND USE CODE (LUC)

Dear Subscriber:

Enclosed is Supplement No. 42 to your copy of the City of Tucson *Land Use Code (LUC)*. An explanation of the revisions included in this Supplement is also enclosed.

This Supplement includes Ordinance No. 10477 Artisan Residence, adopted by the Mayor and Council on November 13, 2007. In addition, some minor formatting errors have been corrected.

Please recycle and replace pages in your *LUC* as follows.

Article II. Zones		
Item	Remove Old Pages	Insert New Pages
Division 5. Commercial Zones	62, 63	62, 63
	66, 67	66, 67
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Article III. Development Regulations		
Division 5. Performance Criteria	253, 254	253, 254
	267-276.10	267-276.10
Article VI. Definitions		
Division 3. Land Use Groups	458-461	458-461

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Item	Remove Old Pages	Insert New Pages
Appendix 1 - Checklist of Up-to-Date Pages	1-3	1-3

Please insert and maintain this instruction sheet in the front of your copy of the *LUC*.

Should you have any questions while replacing these pages, please call me at 791-4505.

Sincerely,

Norma Stevens
Secretary

Enclosures: Summary of Amendment
 Supplement No. 42

TUCSON *LAND USE CODE (LUC)* - SUPPLEMENT NO. 42

SUMMARY OF AMENDMENTS

ORDINANCE NO. 10477

ORDINANCE NO. 10477 (*Adopted on November 13, 2007*)

The adopted LUC amendment includes the following:

A text amendment to Chapter 23, *Land Use Code (LUC)* to add the Artisan Residence provision to the commercial zones in Chapter 23, *Land Use Code (LUC)*.

A. The following are permitted as Secondary Land Uses to Religious Use.

1. Civic Use Group, Sec. [6.3.4](#)

a. Cemetery, subject to: Sec. [3.5.3.1.D](#)

2. Industrial Use Group, Sec. [6.3.6](#)

a. Salvaging and Recycling, subject to: Sec. [3.5.5.6.A](#) and .C (Ord. No. 9915, §4, 11/24/03)

(Ord. No. 8653, §1, 2/26/96)

B. The following is permitted as a Secondary Land Use to all uses in the Commercial Services and Retail Trade Use Groups.

1. Industrial Use Group, Sec. [6.3.6](#)

a. Salvaging and Recycling, subject to: Sec. [3.5.5.6.A](#) and .C (Ord. No. 9915, §4, 11/24/03)

(Ord. No. 8653, §1, 2/26/96)

2.5.1.5 Accessory Land Uses. Land uses accessory to the Permitted or Secondary Land Uses are allowed, subject to compliance with Sec. [3.2.5](#).

2.5.1.6 General Restrictions. The following restrictions apply to all uses and development in this zone.

A. Drive-through or drive-in services are not permitted unless specifically provided for the land use.

B. All land use activities except vehicular use areas shall be conducted entirely within an enclosed building unless specifically provided otherwise.

C. The maximum area of each RVC zone shall not exceed twenty (20) acres.

2.5.2 "NC" NEIGHBORHOOD COMMERCIAL ZONE.

2.5.2.1 Purpose. This zone provides for low-intensity, small-scale, commercial and office uses that are compatible in size and design with adjacent residential uses. Residential and other related uses are permitted.

2.5.2.2 Permitted Land Uses. The following Land Use Classes are principal Permitted Land Uses within this zone, subject to compliance with the development and compatibility criteria listed for the Development Designator indicated and to any additional conditions listed for each use. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. [3.2.3](#).

A. Commercial Services Use Group, Sec. [6.3.5](#)

1. Administrative and Professional Office "[26](#)"

*Artisan Residence, See [2.5.2.2.A.8](#) (Ord. No. 10477, §1, 11/13/07)

2. Communications "[26](#)", subject to: Sec. [3.5.4.20](#).B, .C, and .D.1 or .D.2 (Ord. No. 8813, §1, 3/3/97)
3. Day Care "[26](#)", subject to: Sec. [3.5.13.5](#)
4. Financial Service "[26](#)" subject to: Sec. [3.5.4.5](#).C (Ord. No. 10252, §1, 2/28/06)
5. Food Service "[26](#)", subject to: Sec. [3.5.4.6](#).A and .C, except alcoholic beverage sales
6. Personal Service "[26](#)", subject to: Sec. [3.5.4.13](#).A
7. Trade Service and Repair, Minor, "[26](#)", except upholstery shops
8. Artisan Residence, "[33](#)", subject to: Sec. [3.5.4.28](#).A, .B, .C, .D, and .E (Ord. No. 10477, §1, 11/13/07)

B. Retail Trade Use Group, Sec. [6.3.10](#)

1. Food and Beverage Sales "[26](#)", except alcoholic beverage sales
2. General Merchandise Sales "[26](#)"

C. Civic Use Group, Sec. [6.3.4](#)

1. Cultural Use "[26](#)", subject to: Sec. [3.5.3.2](#)
2. Educational Use: Elementary and Secondary Schools "[11](#)", subject to: Sec. [3.5.3.7](#) and Sec. [3.5.13.5](#) (Ord. No. 9075, §1, 6/15/98)
3. Postal Service "[26](#)", subject to: Sec. [3.5.3.2](#)
4. Protective Service "[26](#)", subject to: Sec. [3.5.3.2](#)

D. Recreation Use Group, Sec. [6.3.7](#)

1. Neighborhood Recreation "[26](#)", subject to: Sec. [3.5.13.5](#)

E. Residential Use Group, Sec. [6.3.8](#)

1. Family Dwelling "[M](#)"

2.5.3 "C-1" COMMERCIAL ZONE.

2.5.3.1 Purpose. This zone provides for low-intensity, commercial and other uses that are compatible with adjacent residential uses. Residential and other related uses are permitted.

2.5.3.2 Permitted Land Uses. The following Land Use Classes are principal Permitted Land Uses within this zone, subject to compliance with the development and compatibility criteria listed for the Development Designator indicated and to any additional conditions listed for each use. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. [3.2.3](#).

A. Commercial Services Use Group, Sec. [6.3.5](#)

All Commercial Services Uses may provide one (1) drive-through service lane unless otherwise provided.

1. Administrative and Professional Office "[29](#)"
2. Animal Service "[28](#)", subject to: Sec. [3.5.4.1](#).A, .B, .C, and .D
*Artisan Residence, See [2.5.3.2](#).A.17 (Ord. No. 10477, §2, 11/13/07)
3. Communications "[28](#)", subject to: Sec. [3.5.4.20](#).B, .C, and .D.1 or .D.2 (Ord. No. 8813, §1, 3/3/97)
4. Day Care "[29](#)"
5. Entertainment "[28](#)", subject to: Sec. [3.5.4.19](#).C
6. Financial Service "[28](#)", subject to: Sec. [3.5.4.5](#).A and C (Ord. No. 10252, §1, 2/28/06)
7. Food Service "[28](#)", subject to: Sec. [3.5.4.6](#).A and .C
8. Medical Service - Extended Health Care "[29](#)", subject to: Sec. [3.5.13.5](#) (Ord. No. 9138, §1, 10/5/98)
9. Medical Service - Major "[29](#)" (Ord. No. 9138, §1, 10/5/98)
10. Medical Service - Outpatient "[29](#)", subject to: Sec. [3.5.4.8](#).B (Ord. No. 9138, §1, 10/5/98)
11. Parking "[29](#)"
12. Personal Service "28", subject to: Sec. [3.5.4.13](#).A
13. Research and Product Development "16"
14. Technical Service "[28](#)", subject to: Sec. [3.5.4.16](#).A
15. Trade Service and Repair, Minor, "[28](#)", subject to: Sec. [3.5.4.27](#) (Ord. No. 8653, §1, 2/26/96)
16. Travelers' Accommodation, Lodging, "[29](#)"
(Ord. No. 8653, §1, 2/26/96; Ord. No. 9138, §1, 10/5/98)
17. Artisan Residence, "[33](#)", subject to: Sec. [3.5.4.28](#).A, .B, .C, .D, and .E (Ord. No. 10477, §2, 11/13/07)

B. Retail Trade Use Group, Sec. [6.3.10](#)

All Retail Trade Uses may provide one (1) drive-through service lane unless otherwise provided.

1. Food and Beverage Sales "[28](#)"
2. General Merchandise Sales "[28](#)", subject to: Sec. [3.5.9.2.C](#)

C. Civic Use Group, Sec. [6.3.4](#)

1. Cemetery "3", subject to: Sec. [3.5.3.1.A](#) and Sec. [3.5.13.5](#)
2. Civic Assembly "[28](#)"
3. Cultural Use "[28](#)", subject to: Sec. [3.5.3.2](#)
4. Educational Use: Elementary and Secondary Schools "[28](#)", subject to: Sec. [3.5.3.7](#) and Sec. [3.5.13.5](#) (Ord. No. 9075, §1, 6/15/98)
5. Educational Use: Instructional School "[28](#)"
6. Educational Use: Postsecondary Institution "[28](#)", subject to: Sec. [3.5.3.3](#)
7. Membership Organization "[28](#)"
8. Postal Service "[28](#)", subject to: Sec. [3.5.3.2](#)
9. Protective Service "[28](#)", subject to: Sec. [3.5.3.2](#)
10. Religious Use "[28](#)"

D. Recreation Use Group, Sec. [6.3.7](#)

1. Golf Course "1", subject to: Sec. [3.5.6.3](#) and Sec. [3.5.13.5](#)
2. Neighborhood Recreation "[28](#)", subject to: Sec. [3.5.13.5](#)
3. Recreation "[28](#)"

E. Residential Use Group, Sec. [6.3.8](#)

1. Family Dwelling "O"
2. Family Dwelling "RCP-9", subject to: Sec. [3.6.1](#)
3. Group Dwelling "17"
4. Residential Care Services: Adult Care Service or Physical and Behavioral Health Service "[29](#)", subject to: Sec. [3.5.7.8.C.4](#), .D, and .H (no minimum lot size)
5. Residential Care Services: Rehabilitation Service - children's facilities "K", subject to: Sec. [3.5.7.8.A](#), .C.1, and .D
6. Residential Care Services: Shelter Care - victims of domestic violence "K", subject to: Sec. [3.5.7.8.A](#), .C.3, and .D

1. Industrial Use Group, Sec. [6.3.6](#)

- a. Salvaging and Recycling, subject to: Sec. [3.5.5.6](#).A and .C (Ord. No. 9915, §4, 11/24/03)

(Ord. No. 8653, §1, 2/26/96)

G. The following are permitted as Secondary Land Uses to all uses in the Commercial Services and Retail Trade Use Groups.

1. Industrial Use Group, Sec. [6.3.6](#)

- a. Perishable Goods Manufacturing, subject to: Sec. [3.5.5.2](#).D, .E, and .H
b. Salvaging and Recycling, subject to: Sec. [3.5.5.6](#).A and .C (Ord. No. 9915, §4, 11/24/03)

(Ord. No. 8653, §1, 2/26/96)

H. The following is permitted as a Secondary Land Use to all uses in the Retail Trade Use Group.

1. Industrial Use Group, Sec. [6.3.6](#)

- a. Craftwork, subject to: Sec. [3.5.5.7](#)

(Ord. No. 8653, §1, 2/26/96)

I. Alcoholic Beverage Service is permitted as a Secondary Land Use to Travelers' Accommodation, Lodging, subject to: Sec. [3.5.4.17](#).B, .D, .G, .H, .I, .J, and .K and Sec. [3.5.4.19](#).C.

(Ord. No. 8666, §1, 3/25/96)

2.5.3.5 Accessory Land Uses. Land uses accessory to the Permitted or Secondary Land Uses are allowed, subject to compliance with Sec. [3.2.5](#).

2.5.3.6 General Restrictions. The following restrictions apply to all uses and development in this zone.

- A. Drive-through services are not permitted unless specifically provided for the land use.
B. All land use activities except vehicular use areas shall be conducted entirely within an enclosed building unless specifically provided otherwise.

2.5.4 "C-2" COMMERCIAL ZONE.

2.5.4.1 **Purpose.** This zone provides for general commercial uses that serve the community and region. Residential and other related uses are also permitted.

2.5.4.2 **Permitted Land Uses.** The following Land Use Classes are principal Permitted Land Uses within this zone, subject to compliance with the development and compatibility criteria listed for the Development Designator indicated and to any additional conditions listed for each use. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. [3.2.3](#).

A. Commercial Services Use Group, Sec. [6.3.5](#)

1. Administrative and Professional Office "[31](#)", subject to: Sec. [3.5.13.5](#)
2. Alcoholic Beverage Service "[30](#)", subject to: Sec. [3.5.4.19.C](#) and Sec. [3.5.13.5](#)
3. Animal Service "[30](#)", subject to Sec. [3.5.4.1.A](#), .B, .C, and .D
 *Artisan Residence, See [2.5.4.2.A.24](#) (Ord. No. 10477, §3, 11/13/07)
4. Automotive - Service and Repair "[30](#)", subject to: Sec. [3.5.13.5](#)
5. Billboard "[32](#)", subject to: Sec. [3.5.4.26](#), Sec. [3.5.13.5](#), and the Regulations of Chapter 3, Advertising and Outdoor Signs, of the Tucson Code (Ord. No. 8610, §1, 11/27/95)
6. Building and Grounds Maintenance "[30](#)"
7. Communications "[31](#)", subject to: Sec. [3.5.4.20.A](#) and Sec. [3.5.13.5](#) or Sec. [3.5.4.20.B](#), .C, and .D.1 or .D.2 (Ord. No. 8813, §1, 3/3/97)
8. Construction Service "[30](#)"
9. Day Care "[31](#)", subject to: Sec. [3.5.13.5](#)
10. Entertainment "[31](#)", subject to: Sec. [3.5.4.4.A](#), .B, .C, and .D, Sec. [3.5.4.19.C](#), and Sec. [3.5.13.5](#)
11. Financial Service "[31](#)", subject to: Sec. [3.5.13.5](#) and Sec. [3.5.4.5.C](#) (Ord. No. 10252, §1, 2/28/06)
12. Food Service "[30](#)", subject to: Sec. [3.5.4.6.C](#) and Sec. [3.5.13.5](#)
13. Funeral Service "[30](#)"
14. Medical Service - Extended Health Care "[31](#)", subject to: Sec. [3.5.13.5](#)
15. Medical Service - Major "[31](#)"
16. Medical Service - Outpatient "[31](#)", subject to: Sec. [3.5.4.8.B](#)
17. Parking "[31](#)", subject to: Sec. [3.5.13.5](#)
18. Personal Service "[30](#)"
19. Research and Product Development "[31](#)"
20. Technical Service "[31](#)", subject to: Sec. [3.5.4.16.B](#)

21. Trade Service and Repair, Minor, "[30](#)"
 22. Transportation Service, Land Carrier, "[31](#)", subject to: Sec. [3.5.13.5](#)
 23. Travelers' Accommodation, Lodging, "[31](#)", subject to: Sec. [3.5.13.5](#)
 24. Artisan Residence, "[33](#)", subject to: Sec. 3.5.4.28.A, .B, .C, .D, and .E (Ord. No. 10477, §3, 11/13/07)
- B. Retail Trade Use Group, Sec. [6.3.10](#)
1. Construction Material Sales "[31](#)"
 2. Food and Beverage Sales "[31](#)"
 3. General Merchandise Sales "[31](#)", subject to: Sec. [3.5.9.2.A](#)
 4. Heavy Equipment Sales "[30](#)", subject to: Sec. [3.5.9.3](#)
 5. Swap Meets and Auctions "[30](#)", subject to: Sec. [3.5.9.4](#)
 6. Vehicle Rental and Sales "[31](#)", subject to: Sec. [3.5.9.5.A](#) and .B (Ord. No. 8653, §1, 2/26/96)
- C. Civic Use Group, Sec. [6.3.4](#)
1. Civic Assembly "[31](#)"
 2. Correctional Use: Supervision Facility "[8](#)", subject to: Sec. [3.5.3.4.B.1](#), .3.a, .4.b, .5.a, .8, and .10
 3. Cultural Use "[31](#)"
 4. Educational Use: Elementary and Secondary Schools "[31](#)", subject to: Sec. [3.5.3.7](#) (Ord. No. 9075, §1, 6/15/98)
 5. Educational Use: Postsecondary Institution "[31](#)", subject to: Sec. [3.5.3.3](#)
 6. Educational Use: Instructional School "[31](#)"
 7. Membership Organization "[30](#)"
 8. Postal Service "[31](#)"
 9. Protective Service "[31](#)"
 10. Religious Use "[31](#)"
- D. Industrial Use Group, Sec. [6.3.6](#)
1. Craftwork "[30](#)"
 2. Processing and Cleaning "[30](#)"
 3. Salvaging and Recycling "[30](#)", subject to: Sec. [3.5.5.6.B](#), .C, and .E (Ord. No. 8653, §1, 2/26/96; Ord. No. 9915, §4, 11/24/03)
- E. Recreation Use Group, Sec. [6.3.7](#)

1. Golf Course "1", subject to: Sec. 3.5.6.3 and Sec. [3.5.13.5](#)
 2. Neighborhood Recreation "[30](#)"
 3. Recreation "[31](#)"
- F. Residential Use Group, Sec. [6.3.8](#)
1. Family Dwelling "R"
 2. Family Dwelling "RCP-7", subject to: Sec. [3.6.1](#)
 3. Group Dwelling "[30](#)"
 4. Residential Care Services: Adult Care Service or Physical and Behavioral Health Service "[30](#)", subject to: Sec. [3.5.7.8](#).C.4, .D, and .H (no minimum lot size)
 5. Residential Care Services: Rehabilitation Service - children's facilities "[30](#)", subject to: Sec. [3.5.7.8](#).A, .C.1, and .D
 6. Residential Care Services: Shelter Care - victims of domestic violence "[30](#)", subject to: Sec. [3.5.7.8](#).A, .C.3, and .D
 7. Residential Care Services: Rehabilitation Service or Shelter Care "[31](#)", subject to: Sec. [3.5.7.8](#).A, .C.4, .D, .F, and .H (no minimum lot size)
- G. Restricted Adult Activities Use Group, Sec. [6.3.9](#), subject to: Sec. [3.5.8.1](#)
1. Adult Commercial Services "[30](#)"
 2. Adult Recreation "[30](#)"
 3. Adult Retail Trade "[30](#)"
- H. Storage Use Group, Sec. [6.3.11](#)
1. Commercial Storage "[31](#)", subject to: Sec. [3.5.10.1](#)
 2. Personal Storage "[31](#)", subject to: Sec. [3.5.10.3](#).C and .F (Ord. No. 8653, §1, 2/26/96; Ord. No. 9631, §1, 12/10/01)
- I. Utilities Use Group, Sec. [6.3.12](#)
1. Distribution System "[30](#)", subject to: Sec. [3.5.11.1](#).A, .E, and .I
- J. Wholesaling Use Group, Sec. [6.3.13](#)
1. Business Supply and Equipment Wholesaling "[31](#)"
 2. Construction/Heavy Equipment Wholesaling "[31](#)"
 3. Food and Beverage Wholesaling "[31](#)"

1. Industrial Use Group, Sec. [6.3.6](#)

- a. Perishable Goods Manufacturing, subject to: Sec. [3.5.5.2](#).F, .G, and .H

(Ord. No. 8653, §1, 2/26/96)

- F. The following is permitted as a Secondary Land Use to Educational Use.

1. Industrial Use Group, Sec. [6.3.6](#)

- a. Salvaging and Recycling, subject to: Sec. [3.5.5.6](#).A and .C (Ord. No. 9915, §4, 11/24/03)

(Ord. No. 8653, §1, 2/26/96)

- G. The following is permitted as a Secondary Land Use to all uses in the Commercial Services and Retail Trade Use Groups.

1. Industrial Use Group, Sec. [6.3.6](#)

- a. Salvaging and Recycling, subject to: Sec. [3.5.5.6](#).A and .C (Ord. No. 9915, §4, 11/24/03)

(Ord. No. 8653, §1, 2/26/96)

2.5.4.5 Accessory Land Uses. Land uses accessory to the Permitted or Secondary Land Uses are allowed, subject to compliance with Sec. [3.2.5](#).

2.5.4.6 General Restrictions. The following restrictions apply to all uses and development in this zone.

- A. Outdoor display of finished products for rent or sale at retail or wholesale is permitted, unless prohibited by specific performance criteria.
- B. Unless modified by specific performance criteria or Sec. 2.5.4.6.A, land uses in the Commercial Services, Industrial, Restricted Adult Activities, and Wholesaling Use Groups shall be conducted entirely within an enclosed building.

2.5.5 "C-3" COMMERCIAL ZONE.

2.5.5.1 Purpose. This zone provides for mid-rise development of general commercial uses that serve the community and region, located downtown or in other major activity center areas. Residential and other related uses are also permitted.

2.5.5.2 Permitted Land Uses. The following Land Use Classes are principal Permitted Land Uses within this zone, subject to compliance with the development and compatibility criteria listed for the Development Designator indicated and to any additional conditions listed for each use. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. [3.2.3](#).

A. Commercial Services Use Group, Sec. [6.3.5](#)

1. Administrative and Professional Office "[34](#)"
2. Alcoholic Beverage Service "[33](#)", subject to: Sec. [3.5.4.19.C](#)
3. Animal Service "[33](#)", subject to: Sec. [3.5.4.1.A](#), [.B](#), [.C](#), and [.D](#) or Sec. [3.5.4.1.G](#)
 *Artisan Residence, see [2.5.5.2.A.25](#) (Ord. No. 10477, §4, 11/13/07)
4. Automotive - Service and Repair "[33](#)"
5. Billboard "[32](#)", subject to: Sec. [3.5.4.26](#) and the Regulations of Chapter 3, Advertising and Outdoor Signs, of the Tucson Code (Ord. No. 8610, §1, 11/27/95)
6. Building and Grounds Maintenance "[33](#)"
7. Communications "[34](#)", subject to: Sec. [3.5.4.20.A](#) or Sec. [3.5.4.20.B](#), [.C](#), and [.D.1](#) or [.D.2](#) (Ord. No. 8813, §1, 3/3/97)
8. Construction Service "[33](#)"
9. Day Care "[34](#)"
10. Entertainment "[34](#)", subject to: Sec. [3.5.4.4.A](#), [.B](#), [.C](#), and [.D](#) and Sec. [3.5.4.19.C](#)
11. Financial Service "[34](#)" subject to: Sec. [3.5.4.5.C](#) (Ord. No. 10252, §1, 2/28/06)
12. Food Service "[33](#)", subject to: Sec. [3.5.4.6.C](#)
13. Funeral Service "[33](#)"
14. Medical Service - Extended Health Care "[34](#)"
15. Medical Service - Major "[34](#)"
16. Medical Service - Outpatient "[34](#)", subject to: Sec. [3.5.4.8.B](#)
17. Parking "[34](#)"
18. Personal Service "[33](#)"

19. Research and Product Development "[34](#)"
 20. Technical Service "[34](#)", subject to: Sec. [3.5.4.16.B](#)
 21. Trade Service and Repair, Major, "[33](#)", subject to: Sec. [3.5.4.15](#)
 22. Trade Service and Repair, Minor, "[33](#)"
 23. Transportation Service, Land Carrier, "[34](#)"
 25. Travelers' Accommodation, Lodging, "[34](#)"
 25. Artisan Residence, "[33](#)", subject to: Sec. 3.5.4.28.A, .B, .C, .D, and .E (Ord. No. 10477, §4, 11/13/07)
- B. Retail Trade Use Group, Sec. [6.3.10](#)
1. Construction Material Sales "[34](#)"
 2. Food and Beverage Sales "[34](#)"
 3. General Merchandise Sales "[34](#)", subject to: Sec. [3.5.9.2.A](#)
 4. Heavy Equipment Sales "[33](#)", subject to: Sec. [3.5.9.3](#)
 5. Swap Meets and Auctions "[33](#)", subject to: Sec. [3.5.9.4](#)
 6. Vehicle Rental and Sales "[34](#)", subject to: Sec. [3.5.9.5.A](#) and .B (Ord. No. 8653, §1, 2/26/96)
- C. Civic Use Group, Sec. [6.3.4](#)
1. Civic Assembly "[34](#)"
 2. Correctional Use: Supervision Facility "[8](#)", subject to: Sec. [3.5.3.4.B.1](#), .3.a, .4.b, .5.a, .8, and .10
 3. Cultural Use "[34](#)"
 4. Educational Use: Elementary and Secondary Schools "[34](#)", subject to: Sec. [3.5.3.7](#) (Ord. No. 9075, §1, 6/15/98)
 5. Educational Use: Instructional School "[34](#)"
 6. Educational Use: Postsecondary Institution "[34](#)", subject to: Sec. [3.5.3.3](#)
 7. Membership Organization "[33](#)"
 8. Postal Service "[34](#)"
 9. Protective Service "[34](#)"
 10. Religious Use "[34](#)"

CITY OF TUCSON *LAND USE CODE*
ARTICLE II. ZONES
DIVISION 5. COMMERCIAL ZONES
"C-3" COMMERCIAL ZONE

- D. Industrial Use Group, Sec. [6.3.6](#)
1. Craftwork "[33](#)"
 2. Processing and Cleaning "[33](#)"
 3. Salvaging and Recycling "[33](#)", subject to: Sec. [3.5.5.6.B](#), .C, and .E (Ord. No. 8653, §1, 2/26/96; Ord. No. 9915, §4, 11/24/03)
 4. Salvaging and Recycling, limited to household goods donation center, "[33](#)", subject to: Sec. [3.5.5.6.B](#), .F, .G, .H, .I, .J, and .K; Sec. [3.5.13.3](#); and Sec. [3.5.13.4](#) (Ord. No. 9915, §4, 11/24/03)
- E. Recreation Use Group, Sec. [6.3.7](#)
1. Golf Course "1", subject to: Sec. 3.5.6.3 and Sec. [3.5.13.5](#)
 2. Neighborhood Recreation "[33](#)"
 3. Recreation "[34](#)"
- F. Residential Use Group, Sec. [6.3.8](#)
1. Family Dwelling "S"
 2. Group Dwelling "[33](#)"
 3. Residential Care Services: Adult Care Service or Physical and Behavioral Health Service "[33](#)", subject to: Sec. [3.5.7.8.C.4](#) and .D
 4. Residential Care Services: Rehabilitation Service - children's facilities "[33](#)", subject to: Sec. [3.5.7.8.A](#), .C.1, and .D
 5. Residential Care Services: Shelter Care - victims of domestic violence "[33](#)", subject to: Sec. [3.5.7.8.A](#), .C.3, and .D
 6. Residential Care Services: Rehabilitation Service or Shelter Care "[33](#)", subject to: Sec. [3.5.7.8.A](#), .C.4, .D, .F, and .H (no minimum lot size)
- G. Restricted Adult Activities Use Group, Sec. [6.3.9](#), subject to: Sec. [3.5.8.1](#)
1. Adult Commercial Services "[33](#)"
 2. Adult Recreation "[33](#)"
 3. Adult Retail Trade "[33](#)"
- H. Storage Use Group, Sec. [6.3.11](#)
1. Commercial Storage "[34](#)", subject to: Sec. [3.5.10.1](#)
 2. Personal Storage "[34](#)", subject to: Sec. [3.5.10.3.C](#) and .F (Ord. No. 8653, §1, 2/26/96; Ord. No. 9631, §1, 12/10/01)

3.5.4 COMMERCIAL SERVICES USE GROUP.

3.5.4.1 Animal Service.

- A. Overnight confinement for clinic treatment is permitted for a maximum of five (5) animals.
- B. No boarding of animals is permitted.
- C. The activity must be within a completely enclosed building.
- D. An outpatient clinic is permitted for small animals only.
- E. Structures, shelters, animal runs, and fenced areas must be set back at least one hundred (100) feet from any property line abutting residentially zoned property.
- F. Structures, shelters, animal runs, and fenced areas must be set back at least one hundred (100) feet from any property line.
- G. The use shall be set back at least two hundred (200) feet from any residential zone.

*Artisan Residence. See [3.5.4.28](#) (Ord. 10477, §5, 11/13/07)

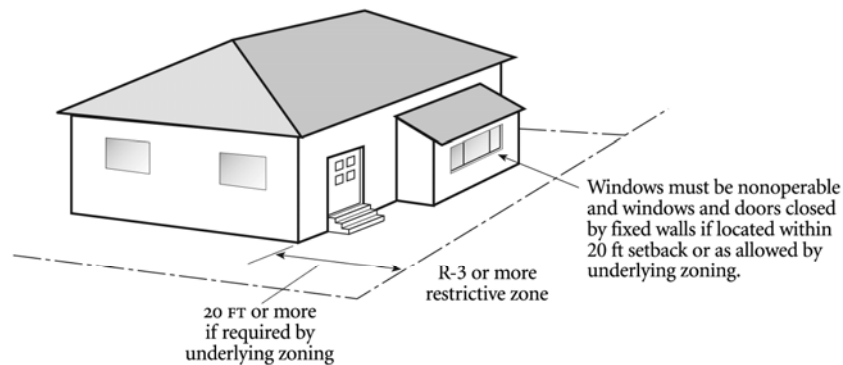
3.5.4.2 Automotive - Service and Repair.

- A. No auto washing.
- B. The service building shall be limited in design to accommodate no more than two (2) vehicles at any time. Vehicle space size shall be a maximum of ten (10) by twenty-five (25) feet.
- C. The use must occur within an enclosed building with one (1) access per bay, not on the side toward any residential zone.
- D. The building walls shall have no openings, other than nonopening windows, within thirty (30) feet of the adjacent residential zone boundary line.
- E. Auto washing, limited to a self-service, coin-operated car wash, shall be allowed on the premises. No more than six (6) bays using hand-operated, wand-type equipment or more than one (1) bay using nonconveyor, automatic equipment are permitted, and vacuum equipment shall be located at least one hundred (100) feet from any residential zone.
- F. The maximum floor area is two thousand (2,000) square feet.
- G. Limited to one (1) automatic in-bay car wash which shall not include conveyors or motorized air-drying. It shall be enclosed within a structure except at points of ingress and egress, have a maximum floor area of six hundred (600) square feet, and not exceed twelve (12) feet in height.

3.5.4.3 Child Care in Residential and Office Zones Criteria.

- A. *Dispersal.* A six hundred (600) foot separation between child care centers in residential zones is required. Child care centers that provide only before- and after-school programs at elementary and secondary school sites are not considered for the purposes of this separation. The separation distance is measured from property lines, except in the case of a child care center on a mixed use development site where the separation is measured from that portion of the site devoted to the child care use.
- B. *Licensing.* If licensing is required by the State of Arizona for the use, proof of such licensure shall be provided prior to issuance of a certificate of occupancy. (Ord. No. 9392, §1, 5/22/00)

- C. *Hours and Days of Operation.* Child care centers adjacent to R-3 or more restrictive zoning are limited in hours of operation to 6:00 a.m. to 7:00 p.m. and to operation Monday through Friday only, except as provided in Sec. 3.5.4.3.I.
- D. *Building Setback.* The minimum setback from all property lines adjacent to R-3 or more restrictive zoning is twenty (20) feet unless the setback requirements of the zone are greater. Buildings may be located closer than twenty (20) feet to such property lines if there are no openings on the side of the building adjacent to R-3 or more restrictive zoning, in which case the setbacks in the general provisions of the zone apply. If the building wall is parallel to the property line, only that side of the building facing the property line must have no openings; if the building is not parallel to the property line, there may be no openings within twenty (20) feet of the property line. For the purposes of this Section, "no openings" means all windows and doors are closed by fixed walls or nonoperable windows. Where openings are not allowed, an emergency exit door, which can only be opened from inside the building and has an alarm, is allowed. (See Illustration 3.5.4.3.D.)



3.5.4.3.D Building Setback for Child Care in Residential and Office

- E. *Recreational Areas.* Minimum distance of outdoor recreational areas, including, but not limited to, swimming and wading pools, ball fields, and playground equipment, to any adjacent property in R-3 or more restrictive zoning is twenty-five (25) feet. Where abutting a street or alley, the setback is measured to the centerline of a right-of-way. A wall is required between a recreation area provided on site and adjacent to R-3 or more restrictive zoning.
- F. *Number of Children.* The maximum number of children cared for is as follows.
1. Thirty (30) children.
 2. One hundred (100) children.
 3. Unlimited number of children.
- G. *Site Size.* The minimum required site size is as follows. In no case will a site larger than ten (10) acres be required.
1. Six and six-tenths (6.6) acres in RH and SR.
 2. Seventy-two thousand (72,000) square feet in SH and RX-1.
 3. Thirty-two thousand (32,000) square feet in RX-2.
 4. Fourteen thousand (14,000) square feet in R-1, R-2, and O-2.
 5. Ten thousand (10,000) square feet in R-3 and O-3.

3.5.4.23 Transportation Service, Air Carrier.

- A. The minimum site area is as required by the Federal Aviation Agency (FAA) for the airport facility. The site area shall not be less than permitted by the underlying zoning.
- B. The application for this use must contain the following information.
 - 1. The type, weight, and noise impact in decibel levels of aircraft using the site.
 - 2. The proposed hours of operation.
 - 3. An estimate of flight frequency.
 - 4. An FAA airspace letter of determination stating no objection, with or without conditions, to the proposed facility.
 - 5. A statement describing the impact of the airport on the Regional Aviation System Plan.
- C. The site plan accompanying the application must show the following, in addition to the information required in Development Standard 2-02.0.
 - 1. Runway, including markings and identification.
 - 2. Aircraft parking, maintenance, and fueling areas and other peripheral areas.
 - 3. Fencing, screening, and safety barriers.
 - 4. Accessory structures and equipment, including fire-fighting equipment.
- D. The Mayor and Council may restrict the number of flights and hours of operation due to the proximity and intensity of noise-sensitive land uses.
- E. Length. The length required for safe operation as shown in the flight manual of the largest aircraft to use the site and an additional two hundred forty (240) feet at each end of the runway.
- F. Width. Two hundred forty (240) feet centered on the runway.

3.5.4.24 Travelers' Accommodation, Campsite.

- A. The use is in conjunction with, and within, a mobile home park.
- B. The overall number of mobile home spaces and campsites shall not exceed the overall density allowed for the mobile home park.
- C. The campsite area shall not be located adjacent to a non-mobile home residential zone.
- D. Access to the area shall be through the mobile home park.
- E. The area complies with the mobile home park development criteria.
- F. No more than twenty-five (25) percent of the total spaces in the mobile home park can be used for the campsite use.

3.5.4.25 Adult Day Care.

- A. The use is for a maximum of ten (10) persons, or if operated in conjunction with an Adult Care Service, the number of clients together with the number of residents cannot exceed the total allowed for the Adult Care Service.
- B. The use must comply with one (one) of the following.
 - 1. For a maximum of fifteen (15) persons.
 - 2. For an unlimited number of persons with a minimum lot size of twenty thousand (20,000) square feet.
 - 3. If operated in conjunction with an Adult Care Service, the number of clients together with the number of residents cannot exceed the total allowed for the Adult Care Service.

3.5.4.26 Billboards.

- A. *Pedestrian Access.* Pedestrian access shall not be located under, or within five (5) feet of, a vertical line intersecting the ground and any structural element extending from a billboard, including, but not limited to, overhangs, cantilevered beams, and elevated walkways. Refer to Sec. 3.2.8.4, Pedestrian Facilities.
- B. *Parking.* Parking area access lanes shall not be located under, or within five (5) feet of, a vertical line intersecting the ground and any structural element extending from a billboard, including, but not limited to, overhangs, cantilevered beams, and elevated walkways. Refer to Sec. 3.3.3.9 for locational requirements of parking spaces.
- C. *Loading.* Refer to Sec. 3.4.5 for loading (servicing) space requirements and Sec. 3.4.4.1 for locational requirements for such loading spaces.
- D. *Landscaping and Screening.* Refer to Table 3.7.2-I for landscaping and screening requirements for billboards.

(Ord. No. 8610, §1, 11/27/95)

3.5.4.27 Trade Service and Repair, Minor.

- A. Excludes the repair and replacement of upholstery and the repair of burglar alarms and motor vehicle stereos.

(Ord. No. 8653, §1, 2/26/96)

3.5.4.28 Artisan Residence

- A. *Purpose.* To provide an artisan residence use in the NC, C-1, C-2 and C-3 commercial zones designed to be used as both a dwelling and work space by an artist, artisan, or craftsperson, including persons engaged in the application, teaching, or performance of fine arts such as, but not limited to drawing, vocal or instrumental music, painting, sculpture, and writing; and the accessory sale of art objects produced on the premises. Buildings or spaces within buildings shall be used jointly for commercial and residential purposes. Nothing in this subsection shall limit principal uses as otherwise permitted by the applicable zoning.
- B. *Combined Uses.* A building or a tenant space in a commercial zone may be used as an artisan workshop with a residential dwelling. The workshop and workshop activities must be located indoors except to the extent that such activities could be conducted outdoors as a principal use under the applicable zoning.

- C. The on-site sale of the artist's products, including occasional shows of the artist's works, are permitted secondary uses.
- D. *Separation and Access.* Access to the residential use shall be only through the same access that is provided for the artisan use.
- E. *Operational Requirements.* The operation of the artisan residence shall not create noise, vibrations, smoke, fumes, dust, odors, vapors, other noxious emissions, or any other similar nuisances that are discernible beyond the boundaries of the structure enclosing the artisan residence.
- F. *Parking.* Each artisan residence unit shall provide two on-site motor vehicle parking spaces for each residential component and one on-site parking space for each 500 square feet of gross floor area (GFA) of the work space area. The GFA of the residential component shall not be included in the parking calculation.

(Ord. No. 10477, §5, 11/13/07)

3.5.5 INDUSTRIAL USE GROUP.

3.5.5.1 Manufacturing and Industrial.

- A. The manufacturing activity must be located on the same lot or site with the permitted use.
- B. Access shall be from a street. Access from an alley is also permitted, provided the alley is at least twenty (20) feet wide; it is paved for its entire block length; and zoning on both sides of the alley, for its entire length within the block, is not residential or office. (Ord. No. 8864, §1, 4/28/97)
- C. Reserved. (Ord. No. 9078, §1, 6/22/98)
- D. Manufacturing uses shall be conducted wholly within completely enclosed buildings. (Ord. No. 8864, §1, 4/28/97)
- E. All work and activity in connection with, and secondary to, a manufacturing use, such as loading and unloading areas, docks, and platforms, shall be located entirely within a building or an area on the lot which is enclosed on all sides by a solid wall or fence six (6) feet in height. Such loading and unloading areas, docks, and platforms shall be located as far from any surrounding residential uses or zones as is reasonably possible.
- F. The manufacturing and allied uses and activities shall be conducted in conformance with the following performance standards:
 - 1. *Noise.* The sound level of any individual operation shall not exceed the levels permitted in Chapter 11, Noise Ordinance, of the Tucson Code.
 - 2. *Smoke.* Smoke emission from any source is not permitted to exceed a density greater than that described as No. 1 on the Ringleman Chart. However, smoke may be emitted which is equal to, but not darker than, No. 2 on the Ringleman Chart for not more than four (4) minutes in any thirty (30) minute period. For the purpose of grading the density of smoke, the Ringleman Chart, as published by the U.S. Bureau of Mines, is the standard.
 - 3. *Glare or Heat.* Any activity producing intense glare or heat shall not be performed in such a manner as to create a nuisance or hazard beyond the property lines.
 - 4. *Odors.* Emission of odorous gases or other odorous matter is not permitted in such quantities as to be offensive to owners or occupants of adjoining property or in such a manner as to create a nuisance or hazard beyond the property lines.

5. *Vibration.* No vibration is permitted which is discernible beyond the property lines to the human sense of feeling for a duration of three (3) minutes or more in any one (1) hour of the day between the hours of 7:00 a.m. and 7:00 p.m. or of a duration of thirty (30) seconds or more in any one (1) hour between the hours of 7:00 p.m. and 7:00 a.m.
 6. *Fly Ash, Dust, Fumes, Vapors, Gases, and Other Forms of Air Pollution.* No emission is permitted which can cause damage to health, animals, vegetation, or other forms of property or which can cause any excessive soiling of the air.
 7. *Liquids and Solid Waste.* No waste shall be discharged into the streets, drainageways, or on property possibly creating a danger to the public health and safety, and no waste shall be discharged in the public sewage system which might endanger the normal operation of the public sewage system.
 8. *Illumination.* Illumination of buildings and open areas shall be located and directed so as to eliminate glare toward streets and adjoining properties and shall comply with the requirements of the Outdoor Lighting Code in Chapter 6 of the Tucson Code.
- G. Soap manufacturing is limited to cold process only.
- H. Outdoor storage, when permitted, shall not be located in a street perimeter yard. Outdoor storage areas shall be screened in accordance with Article III, Division 7, Landscaping and Screening Regulations. No materials or products shall be stacked or stored to exceed the height of the screen within fifty (50) feet of an adjoining residential zone or street. Outdoor display of finished products is permitted within a street perimeter yard in an area limited to ten (10) percent of the site area or ten thousand (10,000) square feet, whichever is less. Such display area may not encroach into required landscape buffer areas. Outdoor storage in the P-I zone is limited to twenty-five (25) percent of the site area. (Ord. No. 8582, §1, 9/25/95)

3.5.5.2 Perishable Goods Manufacturing.

- A. The manufacturing of fish or meat products, sauerkraut, sugar beets, vinegar, and yeast and the rendering or refining of fats and oils are not allowed.
- B. Slaughterhouses, meat packing plants, fertilizer yards, and plants for the reduction of animal matter are not allowed.
- C. The building setback shall be at least three hundred (300) feet from any property line.
- D. The area devoted to the Secondary Land Use is limited to a maximum of thirty-three (33) percent of the gross floor area.
- E. The Secondary Land Use is limited to baked goods and confectionery products.
- F. The Secondary Land Use is limited to the manufacturing of beer, "microbrewery."
- G. The area devoted to the Secondary Land Use does not exceed twenty-five (25) percent of the gross floor area or one thousand (1,000) square feet, whichever is less.
- H. The products manufactured on site are sold at retail on the premises.

(Ord. No. 8653, §1, 2/26/96)

3.5.5.3 Extraction.

- A. The use shall be set back at least three hundred (300) feet from any property line, except that the use may be closer than three hundred (300) feet to an abutting I-2 zoned parcel with the written consent of the owner of the abutting property. (Ord. No. 8932, §1, 9/2/97)

- B. The generation of dust shall be minimized.

3.5.5.4 Motion Picture Industry. Buildings and structures must be set back at least one hundred (100) feet from the boundary of the site.

3.5.5.5 Radioactive Materials Restrictions.

- A. Manufacturing activities involving the use, storage, or disposal of radioactive material are expressly prohibited, except as allowed below.
- B. Radioactive material, which does not become an integral part of the manufactured product or is exempt from the licensing requirements of, or is permitted under, a general license issued by the Arizona Atomic Energy Commission or its legally established successor, may be used, stored, or disposed of as part of a manufacturing activity.
- C. Radioactive material may be used in medical diagnosis and therapy or in medical, educational, or industrial research and development.

3.5.5.6 Salvaging and Recycling.

- A. Salvaging and Recycling is limited to recycling collection bins only. (Ord. No. 9915, §9, 11/24/03)
- B. All salvaging and recycling activities and storage are to occur within an enclosed building. (Ord. No. 9915, §9, 11/24/03)
- C. Salvaging and Recycling is limited to empty household product containers, such as, but not limited to, aluminum cans, glass and plastic bottles, and newspaper. (Ord. No. 9915, §9, 11/24/03)
- D. Junkyards; salvaging of motorized vehicles, such as cars, trucks, airplanes, and similar vehicles; salvaging of hazardous materials; and landfills are not permitted.
- E. Salvaging and Recycling is restricted to collection of recycling materials. (Ord. No. 9915, §9, 11/24/03)
- F. In addition to the requirements of Sec. 3.7.3, Landscaping and Screening Regulations, there must be a screen wall at least six (6) feet in height between this use and any residential zone.
- G. The household goods donation center must be located in a permanent building staffed by an attendant who remains on the premises during the center's hours of operation.
- H. Security procedures or physical barriers must be provided to prevent after-hours drop-off of donated items and to prohibit nighttime access to these items.
- I. The applicant must submit a security management plan, which describes the operation of the center, to the Zoning Administrator for review and approval. The plan must include: the days and hours of operation for the center; descriptions of the planned security procedures and/or physical barriers planned to prohibit both vehicular access when the center is closed and outside storage when the center is closed; the outdoor lighting schematic; and the operational procedures planned to implement the security management plan. Any changes or amendments to the security management plan must be filed with and approved by the Zoning Administrator. If the use is operated in a manner that violates the security plan or conditions for permitting the use, the use may be suspended in accordance with Sec. 23A-54. (Ord. No. 9967, §3, 7/1/04)
- J. Signs must be posted on the site providing the days and hours of operation and stating that donations are not to be left after the center has closed.

- K. One (1) drive-through service lane may be provided for customer drop-off of donated items.
- L. The household goods donation center must be located on, and have access from, either a street designated as an arterial street in the *Major Streets and Routes Plan (MS&RP)* or a local street in a commercial or industrial park which has direct access to an arterial street.

(Ord. No. 8653, §1, 2/26/96; Ord. No. 9915, §9, 11/24/03)

3.5.5.7 Craftwork Manufacturing.

- A. The area devoted to the Secondary Land Use does not exceed twenty-five (25) percent of the gross floor area or one thousand (1,000) square feet, whichever is less.
- B. The products manufactured on site are sold at retail on the premises.
- C. The products manufactured on site are limited to leathercraft, jewelry, and clothing.

(Ord. No. 8653, §1, 2/26/96)

3.5.6 RECREATION USE GROUP.

3.5.6.1 Secondary Uses to Golf Course.

A. Alcoholic Beverage Service.

1. Allowed only as part of, and in conjunction with, a Food Service use, provided all requirements for dispensing alcoholic beverages listed for Food Service, Sec. 3.5.6.1.B, are complied with.
2. The Alcoholic Beverage Service area may not have a separate outside entrance. Access must be through the Food Service use area.

B. Food Service.

1. The Food Service establishment must have kitchen facilities for keeping, cooking, and preparing foods for meals.
2. Food Service establishments with at least seventy-five (75) seats for dining at regularly available tables may operate a cocktail lounge or bar to sell all spirituous liquors for on-premises consumption.

C. Personal Service and General Merchandise Sales.

1. Personal Service and General Merchandise Sales must be integrated into the main building associated with the principal use, such as a clubhouse or registration office. Access shall be from within such main building.
2. No sign associated with the Personal Service or General Merchandise Sales shall be visible from the exterior of the building.
3. General Merchandise Sales is limited to the sale of items related to the principal use only.

D. In addition to Sec. 3.5.6.1.A, .B, and .C, the following requirements apply.

1. The minimum distance to any public street is one hundred (100) feet.
2. Outside entrances must not face any public street.
3. The use is operated for the convenience of the users of the Golf Course.

3.5.6.2 Reserved.

3.5.6.3 Golf Course Requirements.

- A. Minimum number of holes: Nine (9).
- B. Minimum distance between a tee and its hole: Seventy-five (75) feet.
- C. Minimum distance of tees and cups to any property line: One hundred (100) feet.
- D. Driving range shall be placed so that flying balls are directed toward the interior of the site.
- E. Also subject to Sec. 3.5.13.3 and Sec. 3.5.13.5.

3.5.6.4 Recreation. The minimum setback is one hundred (100) feet.

3.5.7 RESIDENTIAL USE GROUP.**3.5.7.1 Family Dwelling.**

- A. Both dwellings must be under the same ownership and on the same parcel.
- B. Both dwellings must comply with the development criteria listed for the assigned Development Designator.
- C. One (1) dwelling must be at least twenty-five (25) percent smaller than the other dwelling.
- D. The dwellings may be attached or detached.
- E. A manufactured housing unit shall not be considered a dwelling for the purposes of this Section, unless it is located in a subdivision recorded after January 1, 1982, and not located in a resubdivision of any subdivision recorded prior to January 1, 1982. (Ord. No. 8582, §1, 9/25/95; Ord. No. 9443, §2, 11/27/00)
- F. A manufactured housing unit shall not be considered a dwelling for the purposes of this Section, unless the following criteria are met or a subdivision plat that has been clearly identified for manufactured housing has been approved and permits for manufactured homes have been issued for twenty-five (25) percent or more of the lots prior to November 27, 2000.
 - 1. It is placed on an excavated and backfilled foundation (ground set). If the home is located in a floodplain, the bottom of the lowest floor joist will be a minimum of one (1) foot above the one hundred (100) year/base flood elevation, and the foundation of the home shall be placed on the fill.
 - 2. No more than eight (8) inches of perimeter skirting wall shall be visible from the street frontage of the property. The perimeter skirting wall shall match the exterior color of the home.
 - 3. The exterior siding materials shall be either hardboard, vinyl, or stucco.
 - 4. Concrete or masonry steps shall be provided for the entry on the street side of the dwelling.
 - 5. All entry doors on the street side of the dwelling shall be inward-swinging doors.
 - 6. The roofing style and materials shall be either flat roof (Pueblo), steel rib roof, or shingle or tile roof with a 3:12 roof pitch or greater. All pitched roofs, except those that are disguised by a parapet, shall have a minimum six (6) inch eave on all sides of the dwelling.
- G. For any new single family dwelling in the R-1 zone with five (5) bedrooms, three (3) parking spaces are required. For every bedroom over five (5), one additional space is required for each bedroom.
- H. For all single family dwellings in the R-1 zone with five (5) or more bedrooms, and for all lots containing two (2) or more single family dwellings, with the second dwelling having more than one bedroom, all parking and maneuvering must be located on-site, either in a side or rear perimeter yard. The vehicular use area must be improved, which includes surfacing, striping, and provision of barriers, in conformance with Development Standard 3-05.0. Parking spaces may not be located in a vehicular use area in any front street perimeter yard.

(Ord. No. 9443, §2, 11/27/00; Ord. No. 9906, §3, 10/13/03)

3.5.7.2 Home Occupation: General Application. (Definition, Sec. 6.2.8) Home occupations require approval through a Zoning Compliance Review, Sec. 23A-31, and are subject to the following. (Ord. No. 9967, §3, 7/1/04)

- A. A home occupation shall be clearly secondary to the residential use of the dwelling.

- B. A home occupation shall be conducted in such a manner that it is compatible with the residential character of the neighborhood in which it is located.
- C. No more than twenty-five (25) percent of all buildings on the lot may be devoted to the home occupation. A detached accessory building of not more than two hundred (200) square feet in area may be used for such home occupation.
- D. Persons other than those residing in the dwelling shall not be employed in the home occupation, except that one (1) nonresident of the premises may be employed in the IR, RH, SR, SH, O-2, O-3, NC, C-1, C-2, C-3, OCR-1, and OCR-2 zones.
- E. Goods related to the home occupation shall not be visible from the street.
- F. Goods shall not be sold on the premises.
- G. Outdoor storage of materials or equipment related to the home occupation activity is not permitted on the premises.
- H. Except for permitted signage, the home occupation use shall not substantially alter the exterior appearance or character of the residence in which it is conducted, either by exterior construction, lighting, graphics, or other means.
- I. No more than one (1) sign may be visible from the exterior of the property used as a home occupation. The sign shall not exceed one (1) square foot in size. Signs must also conform to Chapter 3 of the Tucson Code.
- J. A home occupation shall not create any nuisance, hazard, or other offensive condition, such as that resulting from noise, smoke, fumes, dust, odors, or other noxious emissions. Electrical or mechanical equipment that causes fluctuations in line voltage, creates any interference in either audio or video reception, or causes any perceivable vibration on adjacent properties is not permitted.
- K. No more than five (5) clients per day, and only one (1) client at a time, are allowed on site.
- L. Motor vehicle and bicycle parking is not required for home occupation - general application. The home occupation may involve the use of no more than one (1) commercial vehicle for the transportation of goods or materials to and from the premises. The commercial vehicle is limited to a passenger car, van, or pickup truck. This vehicle may not be more than twenty (20) feet in overall length and not more than seven (7) feet in overall height and must be parked on private property in a carport or garage or shielded from view from adjoining properties by landscaping, fencing, or screening material. Motor vehicle and bicycle parking necessitated by the conduct of such home occupation shall be provided on site.
- M. Automotive - Service and Repair, hair salon, and Medical Service uses are prohibited as home occupations.

3.5.7.3 **Home Occupation: Day Care.**

- A. The conditions specified for home occupation, Sec. 3.5.7.2, apply, except Sec. 3.5.7.2.C, Sec. 3.5.7.2.D, and Sec. 3.5.7.2.G.
- B. Not less than five (5), but not more than ten (10), persons are cared for in the home.
- C. No more than one (1) full-time equivalent person not residing on the premises may be employed in the day care use.

- D. The day care use is conducted in a manner that does not create adverse impacts on the residential character of the neighborhood.
- E. During the hours of activity of the day care use, there is no limit on the amount of floor area devoted to this secondary use.
- F. Outdoor activities and equipment associated with the use are permitted and must be screened by a five (5) foot fence, wall, or hedge where adjoining R-3 or more restrictive zoning.
- G. Hours of operation must be noted on the application, and those hours of operation shall not create an adverse impact on adjoining residences.
- H. Any vehicle used in conjunction with the day care use is limited to a passenger car, van, or pickup truck.
- I. The day care use must be approved and licensed by the Arizona Department of Health Services prior to final approval. (Ord. No. 9392, §1, 5/22/00)

3.5.7.4 Home Occupation: Travelers' Accommodation, Lodging.

- A. Accommodations permitted for up to four (4) guests for a maximum stay of fourteen (14) days. No more than two (2) sleeping rooms may be used to accommodate guests.
- B. Accommodations permitted for up to eight (8) guests for a maximum of fourteen (14) days. No more than four (4) sleeping rooms may be used to accommodate guests.
- C. Accommodations permitted for up to twelve (12) guests for a maximum stay of fourteen (14) days. No more than six (6) sleeping rooms may be used to accommodate guests.
- D. Accommodations permitted for up to twenty (20) guests for a maximum stay of fourteen (14) days. No more than ten (10) sleeping rooms may be used to accommodate guests.
- E. Meals may be served only to guests staying in the facility. Separate cooking facilities in guest rooms shall be prohibited.
- F. The Development Services Department Director must determine that the building and site improvements are compatible with the surrounding residential area. The Design Review Board (DRB) shall review all applications, except those involving properties within the Historic Preservation Zone (HPZ), for compatibility and make recommendations to the Development Services Department Director. The DRB reviews architectural style, building elevations, materials on exterior facades, color schemes, new mechanical equipment locations, lighting of outdoor areas, window locations and types, screening, landscaping, vehicular use areas, and other contributing design features. If the application is within the HPZ, see Sec. 2.8.8.5 for the review procedure for compatibility. (Ord. No. 9967, §3, 7/1/04)
- G. No more than one (1) full-time equivalent person not residing on the premises may be employed in the home occupation use.
- H. No more than one (1) sign may be visible from the exterior of the property used as a home occupation. The sign shall not exceed one (1) square foot in size. Signs must also conform to Chapter 3 of the Tucson Code.
- I. Outdoor activities and equipment associated with the use are permitted and must be screened by a five (5) foot fence, wall, or hedge where adjoining R-3 or more restrictive zoning.

- J. A home occupation shall not create any nuisance, hazard, or other offensive condition, such as that resulting from noise, smoke, fumes, dust, odors, or other noxious emissions. Electrical or mechanical equipment that causes fluctuations in line voltage, creates any interference in either audio or video reception, or causes any perceivable vibration on adjacent properties is not permitted.
- K. This use may involve the use of no more than one (1) commercial vehicle for the transportation of persons or materials to and from the premises. The commercial vehicle is limited to a passenger car, van, or pickup truck. This vehicle must be parked on private property in a carport or garage or shielded from view from adjoining properties by landscaping, fencing, or screening material. Motor vehicle and bicycle parking as required for Travelers' Accommodation, Lodging, is in addition to that required for the residential use.
- L. If Home Occupation: Group Dwelling and Home Occupation: Travelers' Accommodation, Lodging, occur on the same site, the total number of guests, roomers, and boarders shall not exceed the number of guests allowed for that zone.
- M. The minimum lot size is ten thousand (10,000) square feet.
- N. Motor vehicle and bicycle parking shall be provided per Sec. 3.3.0, Motor Vehicle and Bicycle Parking Requirements, for Travelers' Accommodation, Lodging. Variances may not be granted from the number of required parking spaces. (Ord. No. 9179, §1, 12/14/98)

3.5.7.5 Mobile Home Dwelling Secondary Uses.

- A. The listed secondary uses, except for mobile home unit sales and Travelers' Accommodation, Campsite, are permitted only if all of the following apply.
 - 1. The use is located in the social or recreation center of the park.
 - 2. The social or recreation center is located fifty (50) feet or more from any interior lot line of the mobile home park and one hundred (100) feet or more from any street lot line bounding the mobile home park.
 - 3. The use does not occupy more than twenty-five (25) percent of the floor area of the center.
- B. The listed secondary uses, if permitted, are subject to the following requirements.
 - 1. No merchandise or supplies shall be stored or displayed outside the building.
 - 2. No exterior or public advertising or signs are allowed, except as permitted for secondary uses.
 - 3. The uses are restricted to delicatessen, snack bar, food store, coin-operated laundry, and pickup station for dry cleaning.

3.5.7.6 Mobile Home Dwelling Secondary Uses.

- A. Vehicle rental and sales are restricted to the sale of mobile home model units in mobile home parks.
- B. Each model home shall have the same setback and spacing requirements as other units.
- C. The number of spaces allotted for model homes shall be no more than five (5) percent of the total spaces in the mobile home park.
- D. There shall be no exterior display or advertising other than one (1) unilluminated sign not to exceed six (6) square feet at each model. The sign may not be over six (6) feet in height.

3.5.7.7 Family Dwelling or Mobile Home Dwelling as Secondary Use in Industrial Zones.

- A. The dwelling is permitted as a secondary use to an Industrial, Wholesaling, or Storage Use in the P-I, I-1, or I-2 zones.
- B. Restricted to one (1) single-family or mobile home dwelling for a caretaker of the principal use.
- C. The dwelling shall conform to the development criteria for the principal use.

3.5.7.8 Residential Care Services.

- A. A Rehabilitation Service or Shelter Care use shall not be located within twelve hundred (1,200) feet, in any direction, from another Rehabilitation Service or Shelter Care use. The applicant for such use must provide an inventory of such uses within twelve hundred (1,200) feet of the site prior to the establishment of the use. (Ord. No. 9392, §1, 5/22/00)
- B. Other Services.
 - 1. Accessory treatment, including counseling or other types of meetings, is not allowed for nonresidents of the facility.
 - 2. Accessory treatment, including counseling or other types of meetings, is allowed for nonresidents of the facility, if limited to twenty-five (25) percent of the gross floor area of the facility.
- C. Maximum Number of Residents.
 - 1. Care is permitted for a maximum of ten (10) residents.
 - 2. Care is permitted for a maximum of fifteen (15) residents.
 - 3. Care is permitted for a maximum of twenty (20) residents.
 - 4. Care is permitted for an unlimited number of residents.
- D. If licensing is required by the State of Arizona for the use, proof of such licensure shall be provided. (Ord. No. 9392, §1, 5/22/00)
- E. Prior to establishment of a Rehabilitation Service or Shelter Care in an industrial zone, applicants for the use shall provide to the Development Services Department a report and site environs analysis for the facility indicating that adequate measures are provided to assure the health, safety, and welfare of the residents of the facility in respect to any industrial process, use, or storage carried out on the site or on adjacent properties. (Ord. No. 9967, §3, 7/1/04)
- F. The site is located at least five hundred (500) feet, measured in a straight line, from the property line to a zone boundary line of R-3 or more restrictive zoning.
- G. Minimum lot size is three (3) acres. Lot coverage is limited to fifty (50) percent. Minimum setback from all interior lot lines adjoining residential zoning is twenty-five (25) feet.
- H. Minimum lot size is one and one-half (1.5) acres. Lot coverage is limited to sixty (60) percent. Minimum setback from all interior lot lines adjoining residential zoning is twenty (20) feet.
- I. Minimum lot size is twenty thousand (20,000) square feet.

3.5.7.9 Home Occupation: Group Dwelling.

- A. Room and board may be provided to not more than two (2) persons in the Family Dwelling who are not members of the family or household.
- B. Room and board may be provided to not more than four (4) persons in the Family Dwelling who are not members of the family or household.
- C. Meals may be served only to roomers or boarders residing in the Family Dwelling. Separate cooking facilities in guest rooms shall be prohibited.
- D. Parking requirements shall be as required for Group Dwellings, Sec. 3.3.4.

3.5.7.10 Artist Studio/Residence in I-1.

- A. The use is limited to structures in existence on February 25, 1991, within the designated artist studio/residence area as defined in Sec. 6.2.1.
- B. The use will not displace existing industrial uses.
- C. The appearance and structural integrity of the structure are preserved or enhanced.
- D. Residential use of the property is incidental and secondary to the artist studio use, with no greater than fifty (50) percent of the floor area devoted to the secondary residential use.
- E. The secondary residential use is occupied by an artist who is also the occupant of the primary artist studio use.
- F. Adequate measures are provided to assure the health, safety, and welfare of the occupants in relation to any industrial process, use, or storage carried out in the artist studio/residence or on adjacent properties.
- G. The use will not impair or interfere with the continued industrial use of adjacent properties or with the purposes of the industrial zone.

3.5.7.11 Mobile Home Dwelling Secondary Uses. In mobile home parks in MH-2 and mobile home parks existing as of July 1, 1995, in MH-1(MH), a maximum of twenty-five (25) percent of the existing spaces designed for mobile homes may be utilized for recreational vehicles provided each time the space is rented it is for at least one (1) month in duration.

3.5.8 **RESTRICTED ADULT ACTIVITIES USE GROUP.**

3.5.8.1 Restricted Adult Activities.

- A. The adult establishment shall not be less than one thousand (1,000) feet from any church, school, public playground, park, or neighborhood recreation property line.
- B. The adult establishment shall not be less than one thousand (1,000) feet from any residential use property line or residential zone boundary line.
- C. The adult establishment shall not be less than one thousand (1,000) feet from the premises of any other adult entertainment enterprise.
- D. The adult establishment requires approval through Zoning Compliance Review, Sec. 23A-31. (Ord. No. 9392, §1, 5/22/00; Ord. No. 9967, §3, 7/1/04))

- E. The land use activity must occur within an enclosed building.

3.5.9 RETAIL TRADE USE GROUP.

3.5.9.1 Food and Beverage Sales.

- A. One (1) building is allowed.
- B. Maximum area of stand.
1. Three thousand (3,000) square feet.
 2. Seven hundred fifty (750) square feet.
 3. Two hundred (200) square feet.
- C. Only the sale of farm products grown or produced on the premises is permitted.
- D. The building shall not be located closer than twenty (20) feet to any property line.
- E. The minimum setback from any street intersection is one hundred fifty (150) feet.
- F. The parking area is set back a minimum of forty-five (45) feet from the property line.
- G. The minimum parking area is eight hundred (800) square feet.
- H. The maximum width of the entry to the parking area is thirty (30) feet.
- I. The vehicular use area is to be surfaced as is required in Sec. 3.3.7.3 if the stand is open more than six (6) months per calendar year. If open a shorter time, these areas must be maintained to minimize dust.
- J. The maximum floor area is four thousand (4,000) square feet.
- K. A retail establishment (store) is limited to a maximum of one hundred thousand (100,000) square feet of floor area. The one hundred thousand (100,000) square feet of floor area includes gross floor area, outdoor storage areas, and any outside area which provides associated services to the public, such as, but not limited to, outdoor merchandise display, snack bars, etc. The floor area does not include motor vehicle parking or loading areas.

For the purposes of determining the applicability of the one hundred thousand (100,000) square foot floor area maximum, the aggregate square footage of all adjacent stores, which share checkstands, management, a controlling ownership interest, and storage areas, shall be considered one establishment, e.g., a plant nursery associated with a general merchandise store, such as a home improvement store.

Establishments greater than one hundred thousand (100,000) square feet of floor area (Large Retail Establishments) are considered through a Special Exception Land Use process as provided in the applicable zone.

(Ord. No. 9293, §1, 9/27/99)

3.5.9.2 General Merchandise Sales.

- A. Outdoor display or storage of fertilizer, manure, or other odorous material shall be located at least thirty (30) feet from any interior lot line.

- B. The maximum floor area is two thousand (2,000) square feet.
- C. Fuel dispensing locations are limited to a maximum of twelve (12).
- D. A retail establishment (store) is limited to a maximum of one hundred thousand (100,000) square feet of floor area. The one hundred thousand (100,000) square feet of floor area includes gross floor area, outdoor storage areas, and any outside area which provides associated services to the public, such as, but not limited to, outdoor merchandise display, snack bars, etc. The floor area does not include motor vehicle parking or loading areas.

For the purposes of determining the applicability of the one hundred thousand (100,000) square foot floor area maximum, the aggregate square footage of all adjacent stores, which share checkstands, management, a controlling ownership interest, and storage areas, shall be considered one establishment, e.g., a plant nursery associated with a general merchandise store, such as a home improvement store.

Establishments greater than one hundred thousand (100,000) square feet of floor area (Large Retail Establishments) are considered through a Special Exception Land Use process as provided in the applicable zone.

(Ord. No. 9293, §1, 9/27/99)

3.5.9.3 Heavy Equipment Sales.

- A. Any area used for the display or storage of heavy equipment must be surfaced with a hard, durable, dustproof material.
- B. Any lights used to illuminate outdoor activity shall be arranged so as to reflect the light away from adjacent residential uses or zones.

3.5.9.4 Swap Meets and Auctions.

- A. No large animals may be sold.
- B. Area lighting must be low-pressure sodium and shielded on top.
- C. The retail area shall be dustproofed.
- D. The following additional requirements apply if the use is located within four hundred (400) feet of a residential use or zone.
 - 1. The use may not operate later than 11:00 p.m.
 - 2. Any high noise activity, such as amplified auctioneering, entertainment, or woodworking, must occur within an enclosed building.

3.5.9.5 Vehicle Rental and Sales.

- A. Outdoor lights may not operate later than 10:00 p.m., except for security lighting which cannot exceed ten (10) percent of all outdoor lighting.
- B. Any lights used to illuminate outdoor activity shall be arranged so as to reflect the light away from adjacent property and comply with the Outdoor Lighting Code in Chapter 6 of the Tucson Code.
- C. Limited to rental only; no retail sales.

- 3.5.9.6 Secondary Uses in P-I Zone. Limited to retail trade of products that are wholesaled, manufactured, or stored on the premises and further limited to twenty-five (25) percent of the total floor area but not to exceed twenty-five hundred (2,500) square feet.
- 3.5.9.7 Large Retail Establishment Design Criteria. Large Retail Establishments are subject to the following performance criteria. Variances from the criteria are not permitted; however, if one or more of the criteria cannot be met, the applicant can request approval through the Special Exception Land Use process where there is substantial compliance with this Section.

A. *Site Design and Relationship to Surrounding Community.*

1. *Vehicular Access.* The project shall provide safety and protection to adjacent residential uses by having motor vehicle access from a major street as designated by the adopted Major Streets and Routes (MS&R) Plan. Access can also be provided from a street that is not designated by the MS&R Plan, provided it can be shown that any negative impacts on residential uses or residentially zoned properties can be mitigated.
2. *Buffers.* The project shall provide visual and noise buffers where the site is adjacent to a residential use or residentially zoned property. This can be accomplished by providing a minimum building setback of at least two hundred (200) feet from a residential use or residentially zoned property that is adjacent to the site. An eight (8) foot high, or higher, masonry screen wall and at least a twenty (20) foot wide landscape buffer shall be provided adjacent to the site property line where it adjoins a residential use or residentially zoned property. The landscape buffer shall be placed on the inside of the screen wall and shall include, in addition to shrubs and groundcover, canopy trees at twenty (20) to thirty (30) foot intervals depending on the separation needed for the tree canopies to touch at maturity to form a noise, light, and visual screen above the screen wall. No other uses, such as, but not limited to, parking or storage, are permitted within the landscape buffer area.
3. *Outdoor Storage Areas.* The project shall mitigate visual and noise impacts on residential uses, residentially zoned properties, and streets that may be adjacent to the site from outdoor storage areas (when permitted by the zone district requirements). The mitigation can be accomplished by locating these areas on-site and at least two hundred (200) feet from any residential use or residentially zoned property that is adjacent to the site. The areas should be screened or enclosed so that they are not visible from public streets, public sidewalks, internal pedestrian walkways, or adjacent residential properties. The screen shall be at least eight (8) feet high and of masonry construction to assure the highest level of noise abatement and to confine any loose papers, cartons, and other trash. Storage materials should not be visible above the screen wall. It would be preferred that these outdoor storage areas be placed between buildings in a manner which would allow the buildings to act as screens.
4. *Trash Collection Areas.* The project shall mitigate visual and noise impacts on adjoining residential neighborhoods and streets from trash collection areas by locating these areas on-site and at least two hundred (200) feet from any residential use, residentially zoned property, and street that is adjacent to the site. The areas should be screened or enclosed so that they are not visible from public streets, public sidewalks, internal pedestrian walkways, or adjacent residential properties. Screening and landscaping of these areas shall conform to the predominant materials used on the site. The screen shall be at least eight (8) feet high and of masonry construction to assure the highest level of noise abatement and to confine any loose papers, cartons, and other trash. It would be preferred that these trash collection areas be placed between buildings to allow the buildings to act as screens. No trash may be removed between 4:00 p.m. and 9:00 a.m. as part of scheduled trash collection.
5. *Pedestrian Flows.* The project shall provide pedestrian accessibility, safety, and convenience to reduce traffic impacts and enable the development to project a friendly, inviting image. Sidewalks shall be at least eight (8) feet wide and unobstructed and shall connect the public street sidewalks, the main entrances to the stores, transit stops on- or off-site, and other buildings on the site, in

addition to providing convenient access to adjacent residential neighborhoods. Sidewalks shall be provided along the full length of any building where it adjoins a parking lot. Sidewalks shall have an associated three (3) foot wide landscape strip for their entire length, except at intersections with parking area access lanes (PAALs). The landscaping shall include canopy trees or other shading devices to shade at least sixty-five (65) to seventy-five (75) percent of the sidewalks during the major part of the day (shadow pattern needs to be taken into consideration).

6. *Central Features and Community Spaces.* The project is to provide attractive and inviting pedestrian scale features, spaces, and amenities. Entrances and parking lot locations shall be functional and inviting with walkways conveniently tied to logical destinations. Bus stops should be considered integral parts of the configuration whether they are located on-site or along the street. Customer drop-off/pick-up points that may be provided should also be integrated into the design (should not conflict with traffic lanes or pedestrian paths). Pedestrian ways shall be anchored by special design features, such as towers, arcades, porticos, light fixtures, planter walls, seating areas, and other architectural features that define circulation paths and outdoor spaces. Examples are outdoor plazas, patios, courtyards, and window shopping areas. Each development should have at least two (2) of these.
7. *Delivery and Loading Spaces.* Delivery and loading operations shall be designed and located to mitigate visual and noise impacts to adjoining residential neighborhoods. If there is a residential use or residentially zoned property adjacent to the site, such operations shall not be permitted between 10:00 p.m. and 7:00 a.m. Delivery and loading spaces shall be set back at least two hundred (200) feet from a residential use or residentially zoned property that is adjacent to the site, unless such operations are located entirely within an enclosed building, provided it is no closer than the allowable building setback.

Delivery trucks shall not be parked in close proximity to or within a designated delivery or loading area during nondelivery hours with motors and/or refrigeration/generators running, unless the area where the trucks are parked is set back at least three hundred (300) feet from residential property to mitigate the truck noise. The setback does not apply if the main building is located between the truck parking and the residential use or residentially zoned property to act as the screen.

The delivery and loading areas shall be screened or enclosed so that they are not visible from public streets, public sidewalks, internal pedestrian walkways, or adjacent properties. The screen shall be of masonry construction and at least ten (10) feet high, measured from the loading dock floor elevation, to screen the noise and activity at the loading dock. The masonry screen assures the highest level of noise abatement. It would be preferred that the delivery and loading spaces be enclosed within a building or placed between buildings in a manner which would allow the buildings to act as screens.

8. *Traffic Impacts.* The applicant shall have a professional entity perform a Traffic Impact Analysis (TIA) report for the development using the Institute of Transportation Engineers' Trip Generation publication as the standard for trip generation calculation, as well as a parking generation report proposing the number of motor vehicle parking spaces required for the project, if different from shopping center calculations. The scope and criteria for the TIA report shall be approved by the Department of Transportation, prior to submittal of the TIA report. The parking generation report shall be accepted by the Department of Transportation and the Development Services Department, prior to the first public hearing. The TIA report shall identify traffic flow impacts on the public streets; recommend mitigation measures to address those conditions that fall below the standards established by the adopted regional Mobility Management Plan; and show how the applicant will provide the recommended improvements. The Mayor and Council may approve a parking requirement that supersedes the number required by Sec. 3.3.0, Motor Vehicle and Bicycle Parking Requirements, as part of their review process. The TIA and parking generation reports are applicable to a specific application. Any change to the specific proposed use of the site and buildings requires resubmittal, review, and approval of a revised TIA report and revised parking generation report. (Ord. No. 9666, §1, 1/29/02; Ord. No. 9967, §3, 7/1/04))

9. *Outdoor Lighting.* Provide a photometric plan and outdoor lighting report which provide information on how outdoor lighting is addressed to mitigate negative impacts on adjacent residential uses or residentially zoned properties. The report will also address the negative impacts of outdoor lighting between the hours of 10:00 p.m. and 7:00 a.m. on adjacent residential properties or zones and how they will be mitigated. Outdoor lighting between 10:00 p.m. and 7:00 a.m. shall be limited to low-pressure sodium lighting.
10. *Outdoor Sales Display/Ancillary Uses.* Provide measures to mitigate any negative impacts to a residential use or residentially zoned property that is adjacent to the site from the location of any outdoor activity associated with services to the public, such as, but not limited to, outdoor merchandise display and sales, outdoor storage, and outdoor snack bar and eating areas. The outside activity will be set back at least two hundred fifty (250) feet and oriented to face away from any residential use or residentially zoned property that is adjacent to the site, unless a building is located between the activity and the residential property.
11. *Hazardous Materials.* Provide a Hazardous Materials Management Plan and Hazardous Materials Inventory Statement as provided in the Fire Code to assure that the building site and design will protect public health and safety from accidental exposure to hazardous materials as provided in the Tucson Fire Code.
12. *Noise Abatement.* Provide a noise mitigation plan indicating how the noise initiated by the land use will be mitigated to comply with noise regulations in Chapter 11 of the Tucson Code. Trucks shall not be left idling between the hours of 6:00 p.m. and 7:00 a.m.
13. *Combination of Retail with Food and Beverage Sales.* General Merchandise Sales and retail sales shall not be combined with Food and Beverage Sales except where one of the Land Use Classes consists of less than ten (10) percent of the gross floor area.

B. *Aesthetic Character of Buildings.*

1. *Facades and Exterior Walls Including Sides and Back.* The building shall be designed in a way which will reduce the massive scale and uniform and impersonal appearance and will provide visual interest consistent with the community's identity, character, and scale. Long building walls shall be broken up with projections or recessions with depths of at least three (3) percent of the façade length along all sides of the building. Along any public street frontage, the building design should include windows, arcades, or awnings along at least sixty (60) percent of the building length. Architectural treatment, similar to that provided to the front façade, shall be provided to the sides and rear of the building to mitigate any negative view from adjacent properties and/or streets.
2. *Detail Features.* Provide architectural features that contribute to visual interest at the pedestrian scale and reduce the massive aesthetic effect by breaking up the building wall, front, side, or rear, with color, texture change, wall offsets, reveals, or projecting ribs.
3. *Roofs.* The roof design shall provide variations in roof lines to add interest to, and reduce the massive scale of, large buildings. Roof features shall complement the architectural and visual character of adjoining neighborhoods. Roofs shall include two (2) or more roof planes. Parapet walls shall be architecturally treated to avoid a plain, monotonous look, unless it is in keeping with the architectural style of the building, e.g., Santa Fe style with smooth walls.
4. *Materials and Color.* The buildings shall have exterior building materials and colors, which are aesthetically pleasing and compatible with materials and colors that are used in adjoining neighborhoods. This includes the use of high-quality materials and colors that are low reflective, subtle, neutral, or earth tone. Certain types of colors shall be avoided, e.g., fluorescent or metallic. Construction materials, such as tilt-up concrete, smooth-faced concrete block, prefabricated steel panels, and other similar material shall be avoided, unless the exterior surface is covered with an acceptable architectural treatment.

5. *Entryways.* The building design shall provide design elements which give customers orientation on accessibility and which add aesthetically pleasing character to buildings by providing clearly-defined, highly-visible customer entrances.
6. *Screening of Mechanical Equipment.* Roof- or ground-mounted mechanical equipment shall be screened to mitigate noise and views in all directions. If roof mounted, the screen shall be designed to conform architecturally with the design of the building, whether it is with varying roof planes or with parapet walls. A wood fence or similar treatment is not acceptable.

Ground-mounted mechanical equipment shall be screened. The screen shall be of masonry construction and be of sufficient height to block the view and noise of the equipment.

- C. *Design Review Board (DRB).* All proposed Large Retail Establishments shall be reviewed by the Design Review Board (DRB) for recommendation to the Development Services Department (DSD) director, who will make a recommendation on whether it complies with the performance criteria. The DRB will base its recommendation on whether or not the project complies with the performance criteria related to compatibility, architecture, and site design, as provided in Sec. 3.5.9.7 where specific requirements are not provided. The applicant is responsible for providing all documentation and information necessary to show compliance, such as, but not limited to, site plans, building elevations, landscaping plans, floor plans, and outdoor lighting photometry plan. (Ord. No. 9967, §3, 7/1/04)

(Ord. No. 9293, §1, 9/27/99)

3.5.10 STORAGE USE GROUP.

3.5.10.1 Commercial Storage.

- A. Adjacent to a residential use or zone, outdoor storage shall comply with the following.
 1. Storage material shall not be visible from outside the screen.
 2. Outdoor lighting shall be directed away from adjacent residential uses and zones.
- B. Outdoor storage, when permitted, shall not be located in the street perimeter yard.

3.5.10.2 Hazardous Material Storage.

- A. Aboveground storage tanks for the storage of hazardous materials, such as, but not limited to, hydrogen, gasoline, diesel fuel, automotive fluids, oil, or waste-oil, are permitted as accessory uses in conjunction with and for the purpose of a principal Permitted Land Use. (Ord. No. 8864, §1, 4/28/97)
 1. Exceptions.
 - a. A tank used for storing propane, water, or heating oil for consumptive use on the premises is not regulated by this Section.
 - b. Aboveground storage tanks that are not located within an enclosed building are not permitted within the Scenic Corridor Zone (SCZ).
 2. No person shall install an accessory aboveground storage tank unless the tank meets the following requirements.
 - a. The tank shall be used only for the purpose of servicing the vehicles used or serviced in connection with a permitted principal use. The tanks shall not be open for use by the public.

- b. Except as specified in this Section, the setback regulations of the zoning district in which the tanks shall be located apply to all accessory storage tanks.
 - 1. If the Fire Chief approves the location of a tank within an enclosed building, the minimum setbacks shall be determined by the Fire Chief, provided that the setbacks are not less than those required by the zoning district.
 - 2. A tank that is not located within an enclosed building shall be set back as follows.
 - a. A minimum of fifty (50) feet from any property line adjacent to any area where, in the opinion of the Fire Chief, the tank could present a hazard or danger to person or property.
 - b. A minimum of two hundred (200) feet from any property line adjacent to R-3 or more restrictive zoning, or the tank location must be approved as a special exception through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53. (Ord. No. 9967, §3, 7/1/04)
 - c. The tank must be screened by a wall equal to the height of the tank.
 - d. The maximum permitted diameter of a tank is ninety-five (95) inches, except that, on ten thousand (10,000) gallon storage tanks, the maximum diameter may be increased to ten (10) feet. (Ord. No. 8864, §1, 4/28/97)
 - e. The maximum permitted height of a tank, excepting venting, manways, and filler caps, is ten (10) feet above grade, except that, on ten thousand (10,000) gallon storage tanks, the maximum height may be increased to twelve (12) feet above grade. (Ord. No. 8864, §1, 4/28/97)
 - f. An aboveground storage tank must have a secondary containment tank.
 - g. A concrete pad must be provided under all tanks.
 - h. The construction, installation, and location of the aboveground storage tanks and the types of materials to be stored in the tanks must be approved by the Fire Chief.
 - 3. These regulations do not supersede or replace any other applicable city, county, state, or federal regulations and requirements for aboveground storage tanks.
- B. The maximum capacity of each aboveground storage tank is as follows.
- 1. Capacity of one thousand (1,000) gallons is permitted.
 - 2. Capacity of two thousand (2,000) gallons is permitted.
 - 3. Capacity of four thousand (4,000) gallons is permitted.
 - 4. Capacity of ten thousand (10,000) gallons is permitted.

3.5.10.3 Personal Storage.

- A. All storage shall be within enclosed buildings.
- B. Access shall be from a collector or arterial street.

- C. All walls or doors visible from adjacent streets and residential properties shall be surfaced with a nonreflective material. (Ord. No. 8653, §1, 2/26/96)
- D. Maximum individual unit size: Two hundred (200) square feet of floor area.
- E. Razor or barbed wire may not be used.
- F. The facility's exterior façade visible from adjoining residential properties or street frontage shall be earth tone in color and of masonry, stucco, or similar materials. (Ord. No. 9631, §2, 12/10/01)
- G. Maximum site area: Three (3) acres. (Ord. No. 9631, §2, 12/10/01)

3.5.11 UTILITIES USE GROUP.

3.5.11.1 Distribution System.

- A. The setback of the facility, including walls or equipment, is twenty (20) feet from any adjacent residential zone.
- B. Where a facility is not enclosed within a building, the surrounding screen shall be used as the building wall for the purposes of setbacks in Sec. 3.2.3.2.
- C. The setback of the facility, including walls or equipment, is two hundred (200) feet from any existing adjacent residential zone. This setback may be varied as provided in Sec. 5.3.3, Variances. (Ord. No. 9179, §1, 12/14/98)
- D. Where a water tower more than twenty (20) feet in height is used in conjunction with such facilities, its center shall be located a distance from any lot line equal to not less than one-half (1/2) its height.
- E. The use may not have any service or storage yards.
- F. Noise emission at the property line is to be equivalent to the residential requirements of the noise ordinance.
- G. No TVI (television interference) or RIV (radio interference) on a continuous basis is permitted.
- H. Any building housing such facility shall be in keeping with the character of the zone in which it is located. The Design Review Board (DRB) shall review all applications and make recommendations to the Zoning Examiner. The DRB reviews architectural style, building elevations, materials on exterior facades, color schemes, new mechanical equipment locations, lighting of outdoor areas, window locations and types, screening, landscaping, vehicular use areas, and other contributing design features. (Ord. No. 9967, §3, 7/1/04)
- I. The use must be located wholly within an enclosed building or within an area enclosed on all sides with a masonry wall or compact evergreen hedge, not less than six (6) feet, nor more than ten (10) feet, in height.
- J. The use must include a ten (10) foot high wall in an earth tone and vegetative landscaping where contiguous to a residential zone.
- K. Limited to water pumping and storage facilities, telephone exchanges, and power substations with an input voltage of no greater than one hundred thirty-eight (138) kilovolts.

3.5.12 WHOLESALE USE GROUP.

Reserved.

3.5.13 GENERALLY APPLIED CRITERIA.3.5.13.1 Access.

A. The use must have primary vehicular access from an arterial street.

B. The use must have access from a paved public street on the *Major Streets and Routes (MS&R) Plan*.

3.5.13.2 Hours. The principal use is restricted to hours of operation of 7:00 a.m. to 10:00 p.m.3.5.13.3 Lighting. In addition to the requirements of Chapter 6, Section 6-101, Outdoor Lighting Code, of the Tucson Code, any outdoor lighting utilized in conjunction with the use shall be located and directed so as to eliminate glare toward streets and adjoining R-3 or more restrictive zoning.3.5.13.4 Noise. In addition to the requirements of Chapter 11, Article II, Noise, of the Tucson Code, the use must be located within an enclosed building. There shall be no openings on the side of the building adjacent to R-3 or more restrictive zoning.3.5.13.5 Outdoor Activity. Activity may occur outdoors.3.5.13.6 Screening. In addition to the requirements of Sec. 3.7.3, there must be a screen wall at least five (5) feet in height between this use and any residential zone.

- B. *Postsecondary Institution.* A Postsecondary Institution is a use providing academic, professional, business, technical, or industrial education beyond the twelfth (12) grade, leading to a degree or entry into a paid occupation. Typical uses include community colleges and universities and business, career, beauty, and trade schools.
- C. *Instructional School.* An Instructional School is a use providing domestic, recreational, and other types of instruction for all age groups. Typical uses include dance, cooking, music, martial arts, and handicraft instruction.

- 6.3.4.7 Membership Organization. A Membership Organization is a philanthropic, social, business, or fraternal organization. Typical uses include labor unions, boys' and girls' clubs, and veterans' organizations.
- 6.3.4.8 Postal Service. Postal Service is letter and parcel delivery service. Typical uses include postal stations.
- 6.3.4.9 Protective Service. Protective Service is a use that provides protection of the public health, safety, and welfare. Typical uses include police, fire, and ambulance services.
- 6.3.4.10 Religious Use. Religious Use is assembly for religious worship. Typical uses include churches, synagogues, and temples.

6.3.5 COMMERCIAL SERVICES USE GROUP.

- 6.3.5.1 Purpose. The Commercial Services Use Group includes Land Use Classes which primarily provide a business service, such as consulting, technical, transportation, and repair services. The following Land Use Classes comprise the Commercial Services Use Group.
- 6.3.5.2 Administrative and Professional Office. Administrative and Professional Office is a use which provides administrative, consulting, management, and professional services to businesses and individuals. Typical uses include legal services, real estate firms, travel agencies, security and commodity brokers, and employment services.
- 6.3.5.3 Alcoholic Beverage Service. Alcoholic Beverage Service is the retail sale of alcoholic beverages, such as beer, wine, and liquor, for consumption on the premises. Typical uses include cocktail lounges, taverns, and bars.
- 6.3.5.4 Animal Service. Animal Service is the boarding, training, and grooming of animals, including short-term medical treatment. Typical uses include boarding kennels, dog training services, pet grooming shops, and veterinary clinics.

*Artisan Residence, See 6.3.5.28. (Ord. No. 10477, §6, 11/13/07)
- 6.3.5.5 Automotive - Service and Repair. Automotive - Service and Repair is servicing and repairing automobiles, motorcycles, and utility vehicles, such as pickup trucks and vans generally used as personal vehicles.
 - A. *Automotive - Minor Service and Repair.* Automotive - Minor Service and Repair is minor maintenance which involves operations which do not create excessive noise, such as auto washing, lubrication, and oil changing.
 - B. *Automotive - Major Service and Repair.* Automotive - Major Service and Repair is major maintenance or repair services. Typical uses include muffler, brake, tune-up, stereo, alarm, air conditioning, and tire installation shops; general repair shops; service departments of dealerships; and automotive engine and transmission rebuilders.
- 6.3.5.6 Billboard. A Billboard is an off-site sign relating to a business, activity, use, or service conducted off the site or a product not sold on the site.

- 6.3.5.7 **Building and Grounds Maintenance.** Building and Grounds Maintenance is a use that provides maintenance and custodial services for buildings and properties. Typical uses include janitorial, landscaping, carpet cleaning, and window cleaning services.
- 6.3.5.8 **Communications.** Communications is an activity that provides information and entertainment services by such means as cable, radio, or microwave. Typical uses include radio and television broadcasting stations and telecommunication service centers.
- 6.3.5.9 **Construction Service.** Construction Service is a use which provides construction activity to be performed at a construction site with related work performed on shop premises. Typical uses include construction companies, carpentry services, and plumbing services.
- 6.3.5.10 **Day Care.** Day Care is a use providing care, supervision, planned activities, and guidance on a regular basis for periods of less than twenty-four (24) hours for persons not related to the operator. This includes adult day care and child care.
- 6.3.5.11 **Entertainment.** Entertainment is a use providing amusement or diversion for the spectator. Uses include concerts, movies, dancing, and live performances.
- 6.3.5.12 **Financial Service.** Financial Service is the management and exchange of money and assets, as well as other fiduciary services. Typical uses include banks, credit unions, and savings and loan associations, and non-chartered financial institutions, such as check cashing and payday loan businesses. (Ord. No 10252, §3, 2/28/06)
- 6.3.5.13 **Food Service.** Food Service is the preparation and sale of food primarily for consumption as a meal on premises; however, the Food Service use may also offer the sale of food for consumption off premises. Typical uses include restaurants, coffee shops, cafeterias, and fast food establishments. To differentiate between a Food Service use (restaurant) which serves alcoholic beverages and an Alcoholic Beverage Service use (bar) which serves food, refer to the definition of restaurant. (Ord. No. 8666, §1, 3/25/96)
- 6.3.5.14 **Funeral Service.** Funeral Service is the preparation of the dead for interment or cremation and the holding of funeral services. This category includes funeral homes, undertaking establishments, and crematories.
- 6.3.5.15 **Medical Service - Extended Health Care.** Medical Service - Extended Health Care is a use providing lodging, meals, treatment, and personal care on a long-term basis to individuals who, by reason of advanced age, chronic illness, or infirmity, are unable to care for themselves. Typical uses include nursing homes and hospices.
- 6.3.5.16 **Medical Service - Major.** Medical Service - Major is a use providing inpatient medical care which may also include outpatient service as an ancillary activity. Typical uses include hospitals, psychiatric hospitals, and detoxification centers.
- 6.3.5.17 **Medical Service - Outpatient.** Medical Service - Outpatient is a use providing outpatient physical and mental health services. Services may be of a preventive, diagnostic, treatment, therapeutic, rehabilitative, or counseling nature. Typical uses include medical and dental offices, health clinics, counseling services, and emergency care centers.
- 6.3.5.18 **Parking.** Parking is off-street parking areas for motor vehicles. Typical uses include parking garages and parking lots for residential, commercial, and fleet storage purposes.
- 6.3.5.19 **Personal Service.** Personal Service is a use which provides personal care and appearance services to an individual or provides the cleaning and repair of personal effects. Typical uses include barber and beauty shops, tailors, shoe repair shops, dry cleaning collection agencies, laundromats, massage establishments, and reducing salons.

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- 6.3.5.20 Research and Product Development. Research and Product Development is conducting research of a commercial, industrial, or scientific nature. Included are analytic, diagnostic, processing, and other types of laboratory services. Typical uses include assaying, commercial testing, and engineering laboratories.
- 6.3.5.21 Technical Service. Technical Service is service of a technical nature provided to businesses and individuals. Typical uses include printing establishments, blueprint companies, photocopy companies, commercial art studios, recording studios, and computer access centers.
- 6.3.5.22 Trade Service and Repair, Major. Trade Service and Repair, Major, is the maintenance, repair, or reconstruction of heavy equipment, machinery, large trucks, buses, and other similar vehicles and their component parts, as well as the fabrication of parts and products on an individual basis. Typical uses include farm machinery repair services, body work and painting of automobiles and similar vehicles, and welding shops.
- 6.3.5.23 Trade Service and Repair, Minor. Trade Service and Repair, Minor, is the service and repair of appliances and other similar utility items for business and personal use. Typical uses include appliance repair, jewelry repair, reupholstery, locksmith, burglar alarm repair, and stereo and television repair shops.
- 6.3.5.24 Transportation Service, Air Carrier. Transportation Service, Air Carrier, is a use involving the landing or taking off of aircraft and may provide for passenger and freight transportation by air. The use may include associated terminal and service facilities. Aircraft include airplanes, helicopters, gliders, dirigibles, blimps, and ultralights. The facilities can be for commercial or recreational use. Typical uses include private and public airports, heliports and helipads, gliderports, and ultralight fields.
- 6.3.5.25 Transportation Service, Land Carrier. Transportation Service, Land Carrier, is a use providing local and regional passenger and freight transportation by bus, rail, or truck with terminal and service facilities. Typical uses include bus stations, trucking companies, and taxicab services.
- 6.3.5.26 Travelers' Accommodation, Campsite. Travelers' Accommodation, Campsite, is a use providing overnight accommodation for recreational vehicles or tents on a temporary basis. Typical uses include recreational vehicle parks.
- 6.3.5.27 Travelers' Accommodation, Lodging. Travelers' Accommodation, Lodging, is a use providing rooms for the temporary lodging of travelers. Typical uses include bed and breakfast inns, hotels, motels, inns, resorts, and guest ranches.
- 6.3.5.28 Artisan Residence. A structure or portion of a structure used as both a residential dwelling for an artist and any artistic nonresidential use permitted in the zoning district in which the unit is located by that same artist. The dwelling unit shall not be separately leased.

6.3.6 INDUSTRIAL USE GROUP.

- 6.3.6.1 Purpose. The Industrial Use Group includes Land Use Classes that involve the on-site production of goods by mechanical or chemical transformation of materials or substances and packaging. The following Land Use Classes comprise the Industrial Use Group.
- 6.3.6.2 Craftwork. Craftwork is the production of goods by hand manufacturing which involves only the use of hand tools or domestic mechanical equipment. Typical uses include handcrafted ceramics, metalwork, woodworking, and jewelry.
- 6.3.6.3 Extraction. Extraction is surface or subsurface mining or withdrawal of metallic or nonmetallic minerals, oil, gas, or other forms of energy and resources.

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- 6.3.6.4 General Manufacturing. General Manufacturing is the assembling, finishing, and compounding of preprocessed materials into a finished product or component. Typical uses include the assembly of furniture, cloth goods, and plastic goods and the compounding of chemicals not otherwise classified as hazardous materials.
- 6.3.6.5 Hazardous Material Manufacturing. Hazardous Material Manufacturing is the synthesis, compounding, and manufacture of explosive, highly combustible, corrosive, toxic, highly oxidizing, or radioactive substances, either as a finished product, as part of a process, or as part of the finished product. Typical uses include the compounding of acid, ammunition manufacturing, the compounding of pesticides, and the manufacture of explosives and fireworks.
- 6.3.6.6 Heavy Equipment Manufacturing. Heavy Equipment Manufacturing is the assembling and finishing of heavy machinery and equipment, such as automobiles, utility vehicles, aircraft, farming equipment, and utility trailers. Typical uses include auto assembly plants and tractor works.
- 6.3.6.7 Motion Picture Industry. Motion Picture Industry is the production of motion pictures including soundstages, outdoor sets, incidental storage, and service facilities.
- 6.3.6.8 Perishable Goods Manufacturing. Perishable Goods Manufacturing is the processing and packaging of food products and other goods that are susceptible to spoilage or decay. Typical uses include meat packing operations, breweries and wineries, leather tanning operations, canneries, and bottling plants.
- 6.3.6.9 Precision Manufacturing. Precision Manufacturing is the manufacturing, production, and assembly of electronic and precision instruments and products. Typical uses include the manufacturing of scientific, medical, measuring, and optical instruments; audio and video equipment; electronic devices and systems; and watches.
- 6.3.6.10 Primary Manufacturing. Primary Manufacturing is the forging, casting, forming, extruding, or conversion of basic materials used ultimately in the construction, assembly, or fabrication of final products. Typical uses include foundries, textile and paper mills, sawmills, batch plants, and brickyards.
- 6.3.6.11 Processing and Cleaning. Processing and Cleaning is a use which provides dry cleaning, dyeing, laundering, or rug cleaning services. Typical uses include dry cleaning plants, diaper services, and linen supply services.
- 6.3.6.12 Refining. Refining is the purifying of a crude substance into a basic material used in manufacturing processes. Typical uses include the smelting or converting of ores and petroleum refining.
- 6.3.6.13 Salvaging and Recycling. Salvaging and Recycling is the reclamation and recovery of used materials and the processing of discarded scrap materials for commercial purposes. Typical uses include auto salvage yards, junkyards, paper salvage operations, and household goods donation centers. (Ord. No. 9915, §11, 11/24/03)
- 6.3.7 RECREATION USE GROUP.**
- 6.3.7.1 Purpose. The Recreation Use Group includes Land Use Classes which involve sports and activities with emphasis on participant sports and recreation. The following Land Use Classes comprise the Recreation Use Group.
- 6.3.7.2 Golf Course. Golf Course is a tract of land for playing golf, improved with tees, greens, fairways, and hazards.

APPENDIX 1

Checklist of Up-to-Date Pages

The following listing is included in this Code as a guide for the user to determine whether the Code volume properly reflects the latest print of each page.

In the first column, all page numbers are listed in sequence. The second column reflects the latest printing of the pages as they should appear in an up-to-date volume. When a page has been reprinted or printed as part of the supplement service, this column reflects the Supplement Number which is printed on the bottom of the page.

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